

## REMARKS

In the Advisory Action dated December 23, 2004, the Examiner noted that claims 1-26 are pending in the application and that claims 1-26 stand rejected. By this response, claims 1-26 claims continue unamended.

### REJECTION OF CLAIMS UNDER 35 U.S.C. §103

Claims 1-6, 9-22, 25 and 26 stand rejected under 35 U.S.C. § 103(a) as being not patentable over *Blainey* (US 6,045,585) in view of *Archambault* (US 6,173,444). Claims 7, 8, 23, and 24 stand rejected under 35 U.S.C. § 103(a) as being not patentable over *Blainey* (US 6,045,585) in view of *Archambault* (US 6,173,444), and further in view of *Lichtenstein* (US 6,077,311). Applicants respectfully traverse these rejections.

*Archambault* issued as a patent on January 9, 2001, and was not published prior to issuance. Applicants submit that they conceived their invention prior to the issue date of *Archambault*. Accordingly, submitted with this response is a 37 C.F.R. § 1.131 Declaration executed by all of the inventors. The attached Declaration demonstrates a conception date of the Applicants' invention prior to the January 9, 2001 filing date of *Archambault*, and due diligence from a date prior to January 9, 2001 through the March 20, 2001 filing date of the present application. In view of this declaration, *Archambault* is not available as a 35 U.S.C. § 102(a) reference against the claims of the present application.

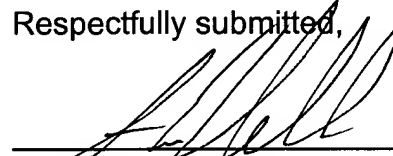
As such, *Archambault* remains available as a reference only under 35 U.S.C. § 102(e). Also submitted herewith is a Statement of Common Ownership. Under 18 U.S.C. § 103(c), the Statement of Common Ownership removes *Archambault* as a reference under 35 U.S.C. § 102(e). Combined, the Declaration and Statement of Common Ownership disqualifies *Archambault* as a reference against the present invention entirely. Applicants respectfully request,

therefore, that the rejection based upon the *Archambault* be withdrawn and that claims 1-26 be allowed.

### CONCLUSION

Having addressed all issues set out in the Advisory Action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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